

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10CV368-03-MU

ROBERT C. CRAIG,)
)
 Petitioner,)
)
 v.)
)
 HERBERT JACKSON,)
)
 Respondent.)
 _____)

ORDER

THIS MATTER comes before the Court on initial review of Petitioner's Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2254 filed August 10, 2010 (Doc. Nos. 1.)

Petitioner has a long history of filing law suits, many frivolous, in this District. As a result, on January 25, 1995, the Court imposed a pre-filing screening against the Petitioner. (1:95cv35). In another Order, the Court admonished Petitioner that if he violated the injunction with frivolous submissions “monetary sanctions will be imposed against him and the Clerk of Court will not accept any further filings until such sanction is paid.” (3:94cv422). In an Order dated June 13, 1995, this Court found that Petitioner had violated the injunction, and sanctioned him in the amount of \$10,000.00. (3:95cv182.)¹ In addition, the Court ordered that no further submissions from petitioner should be accepted until the sanction was paid in full. Id.

Petitioner filed the instant habeas petition on August 10, 2010. A review of the Court’s financial records reveal that Petitioner has not paid the sanction in full. Therefore, consistent

¹ In an Order dated March 31, 1999, the Fourth Circuit denied Petitioner’s Petition for Writ of Error Corum Nobis in which he attempted to obtain relief from the prefiling injunction and fine imposed. In Re: Robert Calvin Craig, Jr., No 98-7656, 4th Cir. March 31, 1999.

with this Court's previous Order, Petitioner's filing will be returned to him, along with his \$5.00 filing fee, as Petitioner has not paid this Court's sanction.

THEREFORE, IT IS HEREBY ORDERED that:

- (1) Petitioner's § 2254 Motion (Document No. 1) is **DISMISSED** without prejudice as he has not paid the \$10,000.00 sanction imposed by this Court.
- (3) The Clerk is directed to return Petitioner's filing to him along with the \$5.00 filing fee.

SO ORDERED.

Signed: August 16, 2010

A handwritten signature in black ink, appearing to read "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

